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*Changes to legislation: There are currently no known outstanding effects for the Electoral Administration Act 2006, Paragraph 43. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 1

#### AMENDMENTS

#### PART 3

##### STANDING FOR ELECTION

###### *Local authorities in England and Wales*

- 43 (1) Section 79 of the Local Government Act 1972 (c. 70) (qualifications for election and holding office as a member of a local authority) is amended as follows.
- (2) In subsection (1) for “British subject” substitute “qualifying Commonwealth citizen”.
- (3) In subsection (2A) before “Commonwealth” insert “qualifying”.
- (4) After subsection (2A) insert—
- “(2B) For the purposes of this section, a person is a qualifying Commonwealth citizen if he is a Commonwealth citizen who either—
- (a) is not a person who requires leave under the Immigration Act 1971 to enter or remain in the United Kingdom, or
- (b) is such a person but for the time being has (or is, by virtue of any enactment, to be treated as having) indefinite leave to remain within the meaning of that Act.
- (2C) But a person is not a qualifying Commonwealth citizen by virtue of subsection (2B)(a) if he does not require leave to enter or remain in the United Kingdom by virtue only of section 8 of the Immigration Act 1971 (exceptions to requirement for leave in special cases).”

#### Commencement Information

- II** Sch. 1 para. 43 wholly in force at 1.7.2008; Sch. 1 para. 43 not in force at Royal Assent see s. 77; Sch. 1 para. 43 in force for E.W.S. at 1.1.2007 by S.I. 2006/3412, art. 3, Sch. 1 para. 14 (bb)(i) (subject to Sch. 2); Sch. 1 para. 43 in force for N.I. at 1.7.2008 by S.I. 2008/1316, arts. 2(2), 4(z)(i)

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